



Agriculture (Wales) Act 2023

2023 asc 4

PART 5

WILDLIFE

45 Overview of Part

- (1) This Part amends the [Wildlife and Countryside Act 1981 \(c. 69\)](#).
- (2) This is done—
 - (a) to prohibit use (including licensed use) of a snare or any other cable restraint for the purpose of killing or trapping a wild animal, and use of a snare or any other cable restraint in any other way that is likely to injure a wild animal,
 - (b) to prohibit use of a glue trap for the purpose of killing or taking an animal, and use of a glue trap in any other way that is likely to catch an animal, and
 - (c) to modify the prohibition on use of traps, any electrical device for killing or stunning, or any poisonous, poisoned or stupefying substance, so that it applies where their use is likely to harm a wild animal.

46 Prohibition on use of snares and glue traps

In section 11 of the [Wildlife and Countryside Act 1981 \(c. 69\)](#) (prohibition of certain methods of killing or taking wild animals), in subsection (1)—

- (a) after paragraph (b) insert—
 - “(ba) sets in position in Wales any snare, or other cable restraint, which is of such a nature and so placed as to be likely to cause bodily injury to any wild animal coming into contact with it;
 - (bb) uses in Wales for the purpose of killing or taking any wild animal any snare, or other cable restraint, whether or not of such a nature or so placed as aforesaid;
 - (bc) sets in position in Wales any glue trap which is of such a nature and so placed as to be likely to catch any animal coming into contact with it;

Status: This is the original version (as it was originally enacted).

(bd) uses in Wales for the purpose of killing or taking any animal any glue trap, whether or not of such a nature or so placed as aforesaid;”;

(b) after subsection (7) insert—

“(7ZA) For the purposes of paragraphs (bc) and (bd) of subsection (1), “animal means a vertebrate (other than a human).”

47 **Modification of prohibitions on use of other methods to kill or take wild animals**

In section 11 of the [Wildlife and Countryside Act 1981 \(c. 69\)](#) (prohibition of certain methods of killing or taking wild animals), in subsection (2)—

(a) in paragraph (b)—

(i) in sub-paragraph (i), omit “and Wales”;

(ii) in sub-paragraph (ii), after “in Scotland” insert “or Wales”;

(b) in paragraph (c)—

(i) in sub-paragraph (i), omit “and Wales”;

(ii) in sub-paragraph (ii), after “in Scotland” insert “or Wales”.

48 **Consequential amendments to the Wildlife and Countryside Act 1981**

(1) The [Wildlife and Countryside Act 1981 \(c. 69\)](#) is amended as follows.

(2) In section 11 (prohibition of certain methods of killing or taking wild animals), in subsection (1)—

(a) in paragraph (a), after “sets in position” insert “otherwise than in Wales”;

(b) in paragraph (b), after “uses” insert “otherwise than in Wales”;

(c) after the new paragraph (bd) (inserted by section 46), insert—

“(be) uses in Wales for the purpose of killing or taking any wild animal any bow or cross-bow or any explosive other than ammunition for a firearm;”.

(3) In that section, in subsection (2)—

(a) in paragraph (a)—

(i) after “uses” insert “, otherwise than in Wales,”;

(ii) after “snare” insert “, or in Wales, any trap other than a glue trap,”;

(b) in paragraph (b)—

(i) after “sets in position” insert “, otherwise than in Wales,”;

(ii) after “snare” insert “, or in Wales, any trap other than a glue trap,”.

(4) In that section, in subsection (3)(a), before “any snare” insert “, otherwise than in Wales,”.

(5) In that section, in subsection (5), after “(1)(b)” insert “(ba), (bb)”.

(6) In section 16 (power to grant licences), in subsection (3), after “11(1)” insert “(a), (b), (be), (c) and (d),”.

(7) In that section, in subsection (3ZA)—

(a) after “use” insert “, otherwise than in Wales,”;

(b) after “snare” insert “, or, in Wales, of a trap other than a glue trap,”.

Status: This is the original version (as it was originally enacted).

- (8) In that section, in subsection (3ZG)(b), for “where it is used in Wales” substitute “where it is a trap other than a glue trap, and it is used in Wales”.
- (9) In that section, in subsection (3ZI)(b), for “or snares” substitute “(other than glue traps)”.